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10/532,072	01/09/2006	Takeshi Tanaka	L8638.05102	4037

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EXAMINER	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Continuation Sheet 11:

Applicant's arguments filed 6/24/2010 have been fully considered but they are not persuasive.

On page 16, last paragraph, of Applicant Response, the Applicant arguments that "Malki fails to disclose or suggest the recited features of each of the independent claims that a mobile terminal can have a predetermined tentative permission time and can tentatively obtain access to a desired network for the predetermined tentative permission time", with the corresponding teaching indicating the arguments and the arts references below, the Examiner respectfully disagrees.

In the last Office Action, the Examiner asserted that Saito discloses allocating resource to high speed handoff by dividing a network area into two layer using two different protocol and reduce the processing required in the mobile IPv6 (paragraphs [0030]-[0033]).

Saito fails to specifically disclose setting a predetermined tentative permission time for which the mobile terminal tentatively permits an access to the desired network and setting a time until acquiring the authentication result. The missing limitations teaching of Saito are covered by Malki.

Malki discloses setting timer and if the timer expired then the mobile node will make another attempt to register to a desired network (paragraphs [0044], [0055]); therefore, Malki discloses predetermined permission time.

During patent examination, the claims must be given their broadly reasonable interpretation. See MPEP 2111. The term "predetermined tentative permission time" is broadly claimed, therefore, it is broadly interpreted.

Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine,* 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones,* 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Malki discloses predetermined permission time. MPEP 2144 states that the strongest rationale for combining references is a recognition, expressly or impliedly in the prior art or drawn from a convincing line of reasoning based on established scientific principles or legal precedent, that some advantage or expected beneficial result would have been produced by their combination. *In re Sernaker,* 702 F.2d 989, 994-95, 217 USPQ 1, 5-6 (Fed. Cir. 1983). See also *Dystar Textilfarben GmbH & Co. Deutschland KG v. C.H. Patrick,* 464 F.3d 1356, 1368, 80 USPQ2d 1641, 1651 (Fed. Cir. 2006). As stated in the last Office Action, it would have been obvious to one having ordinary skill in the art at the time of the invention by applicant to set a predetermined permission time to permit the mobile terminal to access to the desired network while the authentication process is processing for advantages of improving communication processing for a mobile communication device.

/VINCENT P. HARPER/

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